

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion is respectfully requested.

Claims 1-9 and 21-26 and 28-31 are pending in the present application, Claims 1, 7-9 amended, and Claim 27 canceled by way of the present amendment.

In the outstanding Office Action, Claims 1-5, 7-9 and 21-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,364,957 to Schneider in view of U.S. 6,284,093 to Ke; Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in view of U.S. 6,464,843 to Wicker and further in view of Ke.

Turning now to the merits, in order to expedite issuance of a patent in this case, Claim 1 is amended to include structural features that are neither taught nor suggested in the cited references. Specifically, Claim 1 recites that the focus ring includes a top surface which opposes the bottom surface and is axially positioned at substantially a same planar level as a top surface of the substrate. This is shown in each of Figs. 2-6 of Applicants' specification. In contrast, as shown in Fig. 11 of Schneider et al., the top surface of the collar 130 is positioned far above a top surface of the substrate 15. Similarly, in Ke et al., the top surface of the shield 30 is positioned far above a top surface of the substrate 20. Thus, Schneider et al. and Ke et al. do not, either alone or in combination, teach that the focus ring includes a top surface which is axially positioned at substantially a same planar level as a top surface of the substrate as required by Claim 1. Applicants submit that this distinction alone patentably distinguishes Claim 1 over the cited references.

In addition, however, amended Claim 1 further recites that the outer radial lip surface of the focus ring extends substantially perpendicularly upward from the lip receiving surface to the top surface of the focus ring such that the peripheral edge of said substrate is

substantially parallel to the outer radial lip surface. This claim feature is also shown in each of Figs. 2-6 of Applicants' specification. However, as seen in the figures of each of Schneider et al. and Ke et al., the collar 130 and shield 30, respectively, include a flanking surface that extends from the substrate holder surface in a diagonal direction upward to the top surface positioned far above the substrate top surface. Thus, Schneider et al. and Ke et al. also do not disclose that the peripheral edge of said substrate is substantially parallel to the outer radial lip surface. This provides an additional distinction of claim 1 over the cited references.

For the reasons stated above, amended Claim 1 patentably defines over the cited references. As the remaining pending claims depend from Claim 1, these dependent claims also patentably define over the cited references.

Nevertheless, Applicants have also amended Claims 7-9 to specify that the clearance space includes "an axial clearance space" and a "radial clearance space," and that the secondary focus ring also reduces these clearance spaces. Applicants submit that these features provide the advantageous effect of relieving manufacturing tolerances of the focus ring and substrate holders. However, the cited references do not disclose these features. Therefore, Claims 7, 8 and 9 also provide further structural distinctions over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

A handwritten signature in dark ink, appearing to read "E. Garlepp", is written over a horizontal line.

Edwin D. Garlepp
Attorney of Record
Registration No. 45,330